

### **REMARKS**

In the Office Action, the Examiner noted that claims 39-47 are pending in the application and that claims 39-47 are rejected. By this response, claims 39-47 have been amended, and new claims 48-61 have been added. Thus, claims 39-61 are pending in the application.

### **Objections to Specification**

Amendment has been made to paragraph [0001] in order to overcome the objection to the specification to complete the continuing data to conform with that claimed in the declaration.

### **Rejections Under 35 U.S.C., §102**

Claims 39-47 are rejected under 35 U.S.C. §102(b) as being anticipated by *Kobayashi* (U.S. Patent 5,209,170). Applicant has amended independent claim 39 to overcome the anticipation rejection under 35 U.S.C. §102(b). More particularly, independent claim 39 (and dependent claims 40-47) include the limitation of a singulated first group of plants and a singulated second group of plants that are selectively moved in order to select a plant for planting and a means for releasing the selected plant from one of the first group of plants and the second group of plants. The groups of plants are moved, which is not taught or suggested in the combination as claimed by the cited prior art references. New claims 48-61 are also added herein and include limitations directed to a first group of plants (or array of plant holders) and a second group of plants (or array of

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plant holders), in combination with moving the first group (or array) and the second group (or array).

Accordingly, the anticipation rejection under 35 U.S.C. §102(b) is believed to be overcome and claims 39-61 are now believed to be allowable. Accordingly, action to that end is respectfully requested.

Withdrawal of these rejections is respectfully requested.

### **CONCLUSION**

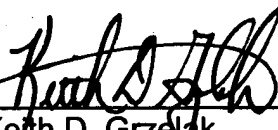
For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

Dated: \_\_\_\_\_

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By: \_\_\_\_\_

  
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